

MINNESOTA DISABILITY LAW CENTER

Pro Bono Volunteer Resolves Special Education Case

The first time Melissa Dosick Riethof, Special Counsel at Meagher & Geer, P.L.L.P., entered the complicated maze of special education law, she wasn't representing a client. She was the mother of a child with a new diagnosis, and she was overwhelmed.

"I'm a lawyer so I thought I would just go research and find the answer," she says. "Turns out it's a very complex answer. I figured it out and then thought, 'Wow, how do you do this if you're not a lawyer?' I called Legal Aid and asked, 'Do you need volunteers?'"

GETTING STARTED ON A PRO BONO CASE

Legal Aid does need volunteers, especially lawyers willing to work in the rapidly evolving area of special education. Pro Bono Project Coordinator Kirsten Olson put Melissa in touch with Dan Stewart, Supervising Attorney in Legal Aid's Minnesota Disability Law Center (MDLC).

Melissa attended a couple of MDLC trainings on special education law, and for her first case, Dan assisted with all aspects of the representation. "Dan provided total support, and I felt completely backed throughout the process," says Melissa. After that, she took on two cases of her own for full representation.

"There are a lot of good special education advocacy websites where you can get information," says Melissa. "But sometimes the questions are so intricate that it's hard to know what to ask or which statute to cite. I don't know how you'd do the research without a legal background. Of course, the school districts know that."

Melissa has found that school districts respond immediately to the presence of an attorney, and some parents have commented that school officials become much more eager to compromise when an attorney becomes involved.

Communication is a major part of Melissa's role in a special education case. She researches the law carefully so she can help the parents understand what the school is offering their child, and what they can realistically expect the school to provide. Her job is to ensure that the school complies with the law in response to the family's requests.

ADVOCATING FOR A FOURTH-GRADER

One of Melissa's first clients was Matt Prior, a fourth-grader with a new diagnosis. His parents had reached an impasse in their communication with the school.

"Melissa was a godsend for us," says Matt's mother, Kim. "She guided my husband and me through the special education process with great knowledge and professionalism. Her presence changed the dynamics with the school system, and she stayed with us to make sure that Matt's updated IEP (Individual Education Plan) was detailed and appropriate."

As for Matt, he is doing well with his updated IEP. He continues to love school, and he has perfect attendance so far this year.

"The impact of Melissa's work is huge for our family," Kim says. "We're so grateful to have the legal protections that come with an IEP drafted by an attorney who understands the law."

A GREAT NEED FOR SPECIAL EDUCATION VOLUNTEER ATTORNEYS

MDLC handles a wide range of special education cases, from routine eligibility and programming concerns to more challenging discipline and restraint/seclusion issues. Yet MDLC lacks the resources to represent every family that needs help.

"Smart, dedicated, and insightful volunteers like Melissa, who are willing to take on these complex and rewarding cases, are absolutely critical for



our work,” says Dan. “Especially as the number of special education cases coming into our office continues to increase, volunteers enable us to serve more families, and they make all the difference for children in untenable situations.”

Melissa continues to attend all of the trainings she can on special education law. As she gains experience and knowledge in this area of law that is still new to her, she’ll be able to streamline the process and work more efficiently and independently. She already brings the compassion and understanding that come with personal experience.

“With special education law, you’re working with people’s kids, their heart and soul,” says Melissa. “If someone is treating your child poorly, it’s so personal. You need a trusted advocate standing beside you.”

“I’m a lawyer so I thought I would just go research and find the answer. Turns out it’s a very complex answer. I thought, ‘Wow, how do you do this if you’re not a lawyer?’”